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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/582,755	11/03/2000	Armand Nachev	T2147-906520	2807

7590 10/31/2003

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EXAMINER

TANG, KUO LIANG J

ART UNIT	PAPER NUMBER
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2122

DATE MAILED: 10/31/2003

9

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/582,755

Applicant(s)

NACHEF ET AL.

Examiner

Kuo-Liang J Tang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10/20/2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 7-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 7-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 7.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Drawings

1. The drawings are objected to because FIG. 10 "Attributes de la class" is not all in English. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Specification

2. The abstract of the disclosure is objected to because

The following needs removed: Line 4, "(4a, 4b, 6a, 6b)", "(Pa=Pd)"; Line 6, "(2a, 2b)", "(10)"; Line 7, "(f)", "(P0)"; Line 9, "(52)"; Line 13, "Fig. 1 to be published.". Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 11-14 and 25 contain the trademark/trade name Java®. Where a trademark or trade name is used in a claim as a limitation to identify or describe a particular material or product, the claim does not comply with the requirements of 35 U.S.C. 112, second paragraph. See *Ex parte Simpson*, 218 USPQ 1020 (Bd. App. 1982). The claim scope is uncertain since the trademark or trade name cannot be used properly to identify any particular material or product.

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A trademark or trade name is used to identify a source of goods, and not the goods themselves. Thus, a trademark or trade name does not identify or describe the goods associated with the trademark or trade name. In the present case, the trademark/trade name is used to identify/describe programming language and, accordingly, the identification/description is indefinite.

Claim Objections

4. Claims 7, 9-10, 20-22 are objected to because of the following informalities:
 5. Claim 7, page 3, line 2, “(4a, 4b, 6a, 6b)” and “(Pa-Pd)”;
Line 4 “(2a,2b)”, “(10)”;
Page 4, Line 7, “(Table C)”, “(P0)”;
Line 9, “(52)”;
Claim 9-10, page 4, Claim 22, Page 7, line 1-2, “(52a)” and “(2a)”;
Claim 20, page 6, line 2, “(4a, 4b, 6a, 6b)”;
Line 3, “(Pa-Pd)”;
Line 5-6, “(4a, 4b, 6a, 6b)”;
Line 6, “(Pa-Pd)”;
Line 8, “(2a,2b)”, “(10)”;
Line 10, “(Table C)”;
Line 11, “(P0)”;
Line 13, “(52)” should be removed.
6. Claim 21, page 6, line 1, “claim 26” should be “claim 20”.
Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 7 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Slaughter et al. (US Patent No. 6,434,694) hereafter Slaughter, in view of Golshani et al. (US Patent No. 5,678,047) hereafter Golshani.

8. *As Per Claim 7*, Slaughter disclosed:

-defining in an abstract class an abstract method for the function, the abstract method including parameters corresponding to a specific command. (see Column 6, Lines 27-37, “MainMemory 404 is an **abstract class** that includes with those attributes inherited from Memory 402 **abstract methods** for managing caching that are ultimately implemented in the instantiable classes PhysicalMemory 412, PortIOMemory 414, and VirtualMemory 416. The latter two classes inherit from MainMemory through the abstract class AccessibleMemory 410 that also inherits from MainMemory. Cache management methods are necessarily platform-specific; however, by using the abstract class MainMemory, those platform-specific memory management **functions** can be accessed in a platform independent manner.”).

-defining a common command that includes arbitrary symbols corresponding to parameters of the abstract method, (see Column 6, Lines 27-37, “MainMemory 404 is an **abstract class** that includes with those attributes inherited from Memory 402 **abstract methods** for managing caching that are ultimately implemented in the instantiable classes PhysicalMemory 412, PortIOMemory 414, and VirtualMemory 416. The latter two classes inherit from MainMemory through the abstract class AccessibleMemory 410 that also inherits

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from MainMemory. Cache management methods are necessarily platform-specific; however, by using the abstract class MainMemory, those platform-specific memory management **functions** can be accessed in a platform independent manner.”).

-creating at least one driver for implementing the abstract method in a machine. (see Column 6, Lines 28-40, “In one embodiment, AccessibleMemory contains only platform-independent methods and is passed from bus managers to **drivers**.”). *and*

-executing by the driver one of the specific commands with options equivalent to the options of the common command. (see Column 6, Lines 40-47, “Drivers also are configured to use only the platform-independent methods in MainMemory and Memory. The platform-specific methods in PhysicalMemory, PortIOMemory, VirtualMemory, and DMAMemory are used by the bus manager, which has platform-specific information, to allow the driver to access memory in a platform-independent manner as described below.”).

Slaughter disclosed *defining in an abstract class an abstract method for the function, the abstract method including parameters corresponding to a specific command.* (see Column 6, Lines 27-37, “MainMemory 404 is an **abstract class** that includes with those attributes inherited from Memory 402 **abstract methods** for managing caching that are ultimately implemented in the instantiable classes PhysicalMemory 412, PortIOMemory 414, and VirtualMemory 416. The latter two classes inherit from MainMemory through the abstract class AccessibleMemory 410 that also inherits from MainMemory. Cache management methods are necessarily platform-specific; however, by using the abstract class MainMemory, those platform-specific memory management **functions** can be accessed in a platform independent manner.”).

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Slaughter didn't explicitly disclose mapping the options of each specific command to the common command. However, Golshani teaches *defining in an abstract class an abstract method for the function, the abstract method including parameters corresponding to a union, in the logical sense, of all options of a specific command.* (see Column 2, Lines 30-34, "When the appropriate **option** is selected, U2G provides information about the translation and describes commands. This mode of operation is called the "**verbose**" mode and may be disabled by entering the "terse" mode.") and (See FIG.9, block "GET GCOS COMMAND AND OPTIONS" and item "CORRESPONDENCE LIST"). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Golshani into the system of Slaughter, to map the options of each specific command to the common command. The modification would have been obvious because one of ordinary skill in the art would have been motivated to provide for selective automatic invocation of the U2G translator program.

9. *As Per Claim 8*, the rejection of claim 7 is incorporated and further Slaughter didn't explicitly disclose creating a configuration file. However, Golshani teaches *creating a configuration file (ConfigPrint) defining types and default values of the options of each specific command that can be executed by the driver, and determining parameters of one of said specific commands by consulting a configuration file by means of the common command.* (see Column 2, Lines 30-34, "U2G also provides on-line help screens and explain pages and simulates a semi-UNIX-like environment by providing facilities for using shell variables and aliases. U2G supports I/O redirection and simple command procedures, and simulates the piping

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of the **commands**. A **startup file**, "**u2grc**", is first interpreted at the start of any session to set up the appropriate environment."). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teaching of Golshani into the system of Slaughter, to create a configuration file. The modification would have been obvious because one of ordinary skill in the art would have been motivated to provide for selective automatic invocation of the U2G translator program.

10. *As Per Claim 9*, the rejection of claim 7 is incorporated and further Slaughter disclosed **a driver corresponds to a machine of the computer system**. (see Column 6, Lines 28-40, "In one embodiment, AccessibleMemory contains only platform-independent methods and is passed from bus managers to **drivers**").

11. *As Per Claim 10*, the rejection of claim 8 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 9.

12. *As Per Claim 11*, the rejection of claim 7 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 9.

13. *As Per Claim 12*, the rejection of claim 8 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 9.

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14. *As Per Claim 13*, the rejection of claim 9 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 9.

15. *As Per Claim 14*, the rejection of claim 10 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 9.

16. *As Per Claim 15*, the rejection of claim 7 is incorporated and further Slaughter disclosed *the abstract class contains at least some of the methods relating to functions of a functionality (F) common to the software products.* (see Column 4, Lines 61-63, "Runtime system 208 further includes a set of additional functions 212 that support facilities such as I/O, network operations, graphics, printing, and the like.").

17. *As Per Claim 16*, the rejection of claim 8 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 15.

18. *As Per Claim 17*, the rejection of claim 9 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 15.

19. *As Per Claim 18*, the rejection of claim 10 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 15.

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20. *As Per Claim 19*, the rejection of claim 11 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 15.

21. *Claim 20* is the system claim corresponding to the method claim 7 and is rejected under the same reason set forth in connection of the rejection of claim 7.

22. *As Per Claim 21*, the rejection of claim 20 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 8.

23. *As Per Claim 22*, the rejection of claim 20 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 9.

24. *As Per Claim 23*, the rejection of claim 20 is incorporated and further Slaughter disclosed *the abstract class is the most abstract class that can be defined*. (see Column 6, Lines 15-20, "Referring now to FIG. 4, the above-described hierarchy of abstract (non-instantiable) and instantiable memory classes and is illustrated in greater detail at 400. Hierarchy 400 is headed by Memory **abstract class** 402. This class includes only the general attributes of a Base Address, Length, and Constraints, each of which attributes are also objects.").

25. *As Per Claim 24*, the rejection of claim 20 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 15.

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26. *As Per Claim 25*, the rejection of claim 23 is incorporated and is rejected under the same reason set forth in connection of the rejection of claim 11.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

27. **Title:** Dynamic device driver. **USPN:** 6,148,346.

28. **Title:** Printing system wherein one of printer drivers through which print data is sent from a data processor to a printer is selected based on interpreters available on the printer.

USPN: 5,228,118.

29. **Title:** Object oriented printing system. **USPN:** 5,566,278.

30. **Title:** System and method for interfacing two modules supporting various applications.

USPN: 6,578,090.

31. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuo-Liang J Tang whose telephone number is 703-305-4866.

The examiner can normally be reached on M-F 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q Dam can be reached on 703-305-4552.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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Washington, D.C. 20231

or faxed to:

(703) 872-9306.

KLT / *KLT*

October 20, 2003

Wei Zhen
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primary patent Examiner